



United States Department of the Interior

Fact Sheet Concerning the Record of Decision for the Oneida Indian Nation of New York's Land-Into-Trust Application

- In March 2005, the U.S. Supreme Court in *City of Sherrill v. Oneida Indian Nation of New York* identified the Department's land-into-trust process under 25 U.S.C. § 465 as the "proper avenue" for the Oneida Indian Nation of New York (Nation) "to reestablish sovereign authority over" land in tribal ownership.
- In April 2005, the Nation submitted an application to the Department under 25 U.S.C. § 465 requesting that the United States take into trust 330 parcels (440 tax lots) totaling approximately 17,370 acres located in Madison and Oneida Counties, New York. The application includes the land on which the Nation's Turning Stone Resort & Casino is situated. In its application, the Nation proposed no change in the current land uses.
- On February 22, 2008, the Department issued its Final Environmental Impact Statement (FEIS) for the Nation's application, totaling over 6,000 pages. The Department reviewed more than 1,000 pages of testimony and written comments on the Draft EIS.
- The FEIS identified the Department's Preferred Alternative, which proposed to acquire 13,086 acres in trust.
- On March 24, 2008, the mandatory 30-day waiting period for issuing the Record of Decision ended. During the waiting period, the Department received over 50 individual written comments and a transcript of a public hearing regarding the FEIS and the Preferred Alternative.
- The Department through the entire process endeavored to balance the needs and interests of the Nation and the State and local governments. In so doing, the Department considered nine alternatives covering the full range of possible outcomes, including taking all 17,370 acres into trust and taking no land into trust.
- The Department has determined to implement the Preferred Alternative, excluding one parcel, for a total of 13,004 acres. The Preferred Alternative focuses on the current and near term needs of the Nation to reestablish a sovereign homeland while minimizing an alternating pattern of Nation and State/local government jurisdiction (*i.e.*, checkerboarding) by establishing a more compact and contiguous trust land grouping.
- The land to be acquired in trust represents approximately 1.0% of the land area in each of the two counties.
- Throughout the process, the Department encouraged the parties to negotiate a mutually beneficial solution and will continue to do so with respect to issues not addressed by this decision.